



SC
#295 (102)
7/8/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David Corboy
Serial No. : 08/866,857
Filed : May 30, 1997
Title : ENCAPSULATED DOCUMENT AND FORMAT SYSTEM

Art Unit : 2776
Examiner : Cong-Lac Huynh

BOX AF

Commissioner for Patents
Washington, D.C. 20231

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RESPONSE

The following remarks are made in response to the action mailed March 29, 2002.

PREMATURE FINAL REJECTION

Initially, Applicant notes that the above referenced action appears to be inappropriately and prematurely characterized as a final action (see MPEP § 706.07(b)). The action is the first action in response to a Request for Continued Examination (RCE) filed January 9, 2002. The RCE requested consideration of a previously filed response to a final rejection, which was initially filed on November 9, 2001 prior to filing of the RCE. As indicated in an advisory action mailed December 6, 2001, the November 9, 2001 response was not considered as it was deemed to have raised new issues that would require further consideration and/or search.

Therefore, Applicant respectfully requests the Examiner to withdraw the finality of the rejection mailed March 29, 2002.

AMENDMENT

In the claims:

Please cancel claims 12 and 51-52 without prejudice or disclaimer.

Please amend claims 1-6, 8-11, 13-14, 31-37, 39-47, and 49-50 as follows:

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